

United States District Court**Eastern District of New York**

UNITED STATES OF AMERICA

V.

STEVEN BROWN

FILED

IN CLERK'S OFFICE

U.S. DISTRICT COURT
AMENDED AMENDED AMENDED**JUDGMENT IN A CRIMINAL CASE** ★

(For Offenses Committed On or After November 1, 1987)

BROOKLYN OFFICECase Number: CR05-152 (JBW)FLORIAN MEIDEL-LAS

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) 1 OF THE 2ND SUPERSEDING INDICTMENT AUSA-ADAM ABENSOHN
- ☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.
- ☐ was found guilty on count(s) _____
after a plea of not guilty.

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Numbers</u>
18 USC 1344	DEFRAUDING A FINANCIAL INSTITUTION		1

The defendant is sentenced as provided in pages 2 through 5 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____
- ☒ Count(s) REMAINING (is)(are) dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines' restitution, costs and special assessments imposed by this judgment are fully paid.

Defendant's Soc Sec No.: _____

Defendant's Date of Birth: _____

Defendant's USM No.: 39987-053

Defendant's Residence Address _____

Defendant's Mailing Address. _____

SEPTEMBER 7, 2005 (AMENDED 8/21/06) *

Date of Imposition of Judgment

Jack B. Weinstein
Signature of Judicial Officer

A TRUE COPY	
ATTEST	
JACK B. WEINSTEIN SR. U.S.D.J.	DATED <u>20</u>
Name & Title of Judicial Officer	ROBERT C. HEINEMANN
AUGUST 30, 2006	BY _____
Date	CLERK
	DEPUTY CLERK

* modified pursuant to U.S.
city letter of Aug. 15, 2006 JMM

DEFENDANT: STEVEN BROWNCASE NUMBER: CR05-152 (JBW)**IMPRISONMENT**

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 21 MONTHS

THE START DATE FOR THE SENTENCE IMPOSED SHALL BE DEEMED TO BE SEPTEMBER 7, 2005.

- ☒ The court makes the following recommendations to the Bureau of Prisons:
THAT THE DEFENDANT BE INCARCERATED AT A FACILITY IN OR AS CLOSE TO NEW YORK CITY AS POSSIBLE.
THAT THE DEFENDANT PARTICIPATE IN A VOCATIONAL TRAINING PROGRAM.
THAT THE DEFENDANT PARTICIPATE IN A DRUG TREATMENT PROGRAM.

- ☒ The defendant is remanded to the custody of the United States Marshal.

- ☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ a.m./p.m. on _____

☐ as notified by the United States Marshal.

- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY US MARSHAL

DEFENDANT: STEVEN BROWN

CASE NUMBER: CR05-152 (JBW)

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 YEARS

THE DEFENDANT IS TO PARTICIPATE IN A DRUG TREATMENT PROGRAM AS DIRECTED BY THE PROBATION DEPT.

THE DEFENDANT IS TO PROVIDE THE PROBATION DEPARTMENT WITH FULL FINANCIAL DISCLOSURE WHENEVER HE IS REQUESTED TO.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm as defined in 18 U.S.C. § 921. (Check, if applicable.)

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below) The defendant shall also comply with the additional conditions on the attached page (if indicated below).

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: STEVEN BROWN
CASE NUMBER: CR05-152 (JBW)

CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$100.00		\$143,400.00

☐ If applicable, restitution amount ordered pursuant to plea agreement.

ASSESSMENT IS PAYABLE IMMEDIATELY.

FINE

The above fine includes costs of incarceration and/or supervision in the amount of _____

The defendant shall pay interest on any fine of more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(9).

- ☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☐ The interest requirement is waived.
 - ☐ The interest requirement is modified as follows:

RESTITUTION

☐ The determination of restitution is deferred until _____ An Amended Judgment in a Criminal Case will be entered after such a determination.
RESTITUTION IS PAYABLE \$100.00 PER MONTH BEGINNING 1 YEAR AFTER RELEASE FROM PRISON. THE INTEREST REQUIREMENT IS WAIVED IF PAYMENT IS MADE MONTHLY.

☐ The defendant shall make restitution to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportional payment unless specified otherwise in the priority order or percentage payment column below.

<u>Name of Payee</u>	<u>* Total Amount of Loss</u>	<u>Amount of Restitution Ordered</u>	<u>Priority Order or Percentage of Payment</u>
CLERK OF COURT E.D.N.Y.		\$143,400.00	

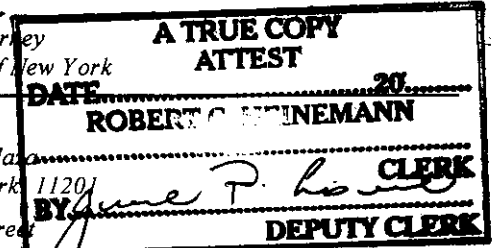
Totals: \$143,400.00

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

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U.S. Department of Justice



United States Attorney
Eastern District of New York



RF:AA

Mailing Address:

One Pierrepont Place
Brooklyn, New York 11201
147 Pierrepont Street
Brooklyn, New York 11201

August 15, 2006

The Honorable Jack B. Weinstein
United States District Judge
Eastern District of New York
225 Cadman Plaza
Brooklyn, New York 11201

Re: United States v. Steven Brown
Criminal Docket No. CR 05-152 (JBW)

Dear Judge Weinstein:

At the Court's request, the government is writing in response to the defense submission dated July 19, 2006. Based on its consultation with the Bureau of Prisons, the government has no objection to the defendant's request that the Court modify its judgment to clarify that the start date for the defendant's sentence should be deemed the date on which sentence was imposed – specifically, September 7, 2005.

Very truly yours,

ROSLYNN R. MAUSKOPF
United States Attorney

By:

Adam Abensohn
Assistant U.S. Attorney
(718) 254-6143

The judgment is modified; the start date for the sentence imposed shall be deemed to be September 7, 2005. Notify S. [unclear] 8/21/06